

1 HONORABLE RONALD B. LEIGHTON  
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13 UNITED STATES DISTRICT COURT  
14 WESTERN DISTRICT OF WASHINGTON  
15 AT TACOMA  
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18 BILLY D. FOWLER,  
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20 Plaintiff,

21 v.  
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23 U.S. BANK NATIONAL ASSOCIATION, et  
24 al,  
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26 Defendants.

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28 MARY PARSONS,  
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30 Counterclaimant,  
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32 v.  
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34 BILLY D. FOWLER,  
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36 Counterdefendant.

Case No. C07-5589RBL

ORDER

THIS MATTER is before the Court on Plaintiff's Application to Proceed *In Forma Pauperis* on Appeal [Dkt. #44]<sup>1</sup>. Having considered the entirety of the records and file herein, the Court finds and rules as follows:

Federal Rule of Appellate Procedure 24(a)(1) requires that a party who seeks to appeal *in forma pauperis* "must attach an affidavit" that demonstrates his indigency, "claims an entitlement to redress," and

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<sup>1</sup>Because this case was removed to this Court, Fed. R. App. P. 24(a)(3) does not apply. If the Circuit Court holds that the rule applies, this Court certifies that the appeal is taken in good faith. Fed. R. App. P. 24(a)(3)(A).

1 "states the issues that the party intends to present on appeal." Fed. R. App. P. 24 (a)(1)(A)-(C). Plaintiff has  
2 met the requirement of proving his indigency; however, he has failed to attach an affidavit that claims redress  
3 or sets forth the issues on appeal. The application to proceed *in forma pauperis* on appeal is **DENIED**.

4 **IT IS SO ORDERED.**

5 The Clerk shall send uncertified copies of this order to all counsel of record, to any party appearing pro  
6 se and to the United States Court of Appeals for the Ninth Circuit.

7 Dated this 28<sup>th</sup> day of January, 2008.

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9 RONALD B. LEIGHTON  
10 UNITED STATES DISTRICT JUDGE

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